

SEC. 3. DISPOSITION OF FUNDS.

(a) **DEPOSIT OF PROCEEDS.**—The Secretary shall deposit the proceeds derived for the conveyance of the property under this section in the fund established by Public Law 90-171 (commonly known as the "Sisk Act"; 16 U.S.C. 484a).

(b) **USE OF PROCEEDS.**—Amounts deposited under subsection (a) shall be available to the Secretary, without further appropriation and until expended, for—

(1) the acquisition, construction, or improvement of administrative facilities and associated land; and

(2) the acquisition of land and interests in land for addition to the National Forest System in the Northern Region of the Forest Service in the State of Idaho.

(c) **LIMITATIONS.**—Funds deposited under subsection (a) shall not be paid or distributed to States or counties under any provision of law, or otherwise considered moneys received from units of the National Forest System for purposes of—

(1) the Act of May 23, 1908 (16 U.S.C. 500);

(2) section 13 of the Act of March 1, 1911 (16 U.S.C. 500, commonly known as the "Weeks Law"); or

(3) [the fourteenth paragraph under the heading "Forest Service" in] the Act of March 4, 1913 (16 U.S.C. 501).

(d) **MANAGEMENT OF LANDS ACQUIRED BY THE UNITED STATES.**—Subject to valid existing rights, the Secretary shall manage any land acquired under this Act, in accordance with the Act of March 1, 1911 (16 U.S.C. 480 et seq., commonly known as the "Weeks Law") and other laws relating to the National Forest System.

(e) **APPLICABLE LAW.**—Except as otherwise provided in this section, the conveyance of property under this section shall be subject to the laws applicable to conveyances of National Forest System land. Part 1955 of title 7, Code of Federal Regulations, shall not apply to any action carried out under this section.

The committee amendments were agreed to.

The bill (S. 435), as amended, was read the third time and passed, as follows:

S. 435

SECTION 1. SHORT TITLE.

This Act may be cited as the "Sandpoint Land and Facilities Conveyance Act of 2003".

SEC. 2. CONVEYANCE OF SANDPOINT FEDERAL BUILDING AND ADJACENT LAND, SANDPOINT, IDAHO.

(a) **TRANSFER OF ADMINISTRATIVE JURISDICTION.**—Not later than 30 days after the date of the enactment of this Act, the Administrator of General Services shall transfer to the Secretary of Agriculture, without reimbursement, administrative jurisdiction over the Sandpoint Federal Building and approximately 3.17 acres of land in Sandpoint, Idaho, as depicted on the map entitled "Sandpoint Federal Building," dated September 12, 2002, on file in the Office of the Chief of the Forest Service and the Office of the Supervisor, Idaho National Panhandle Forest, Coeur d'Alene, Idaho.

(b) **ASSUMPTION AND REPAYMENT OF DEBT.**—As of the date on which administrative jurisdiction of the property is transferred under subsection (a), the Secretary shall assume the obligation of the Administrator of General Services to repay to the Federal Finance Bank the debt incurred with respect to the transferred property. The Secretary may repay the debt using—

(1) the proceeds of the conveyance of the property under this section;

(2) amounts appropriated to the Forest Service for the rental, upkeep, and maintenance of facilities; and

(3) any other unobligated appropriated amounts available to the Secretary.

(c) **CONVEYANCE OF PROPERTY.**—

(1) **CONVEYANCE AUTHORIZED.**—The Secretary may convey, by quitclaim deed, all right, title, and interest of the United States in and to the property transferred to the Secretary under subsection (a). The conveyance may be made by sale or by exchange.

(2) **SOLICITATIONS OF OFFERS.**—The Secretary may solicit offers for the conveyance of the property under this section on such terms and conditions as the Secretary may prescribe. The Secretary may reject any offer made under this section if the Secretary determines that the offer is not adequate or not in the public interest.

(d) **CONSIDERATION.**—

(1) **CONDITIONS OF SALE.**—If the property is conveyed under subsection (c) by sale, the purchaser shall pay to the Secretary an amount equal to the fair market value of the property as determined under paragraph (3). At the election of the Secretary, the consideration may be in the form of cash or other consideration, including the construction of administrative facilities for the National Forest System in Bonner County, Idaho.

(2) **CONDITIONS OF EXCHANGE.**—If the property is conveyed in exchange for construction of administrative facilities, the conveyance shall be subject to—

(A) construction of the administrative facilities in accordance with terms or conditions that the Secretary may prescribe, including final building design and costs;

(B) completion of the administrative facilities in a manner satisfactory to the Secretary;

(C) the condition that the exchange be an equal value exchange, or if the value of the property and the administrative facilities are not equal, as determined under paragraph (3), that the values be equalized in accordance with paragraph (4); and

(D) any requirements of the Secretary that the entity acquiring the property assume any outstanding indebtedness on the property to the Federal Finance Bank.

(3) **VALUATION.**—The value of the property to be conveyed under subsection (c), and the value of any administrative facilities in exchange for the property, shall be determined by an appraisal that conforms to the Uniform Appraisal Standards for Federal Land Acquisitions and is acceptable to the Secretary.

(4) **EQUALIZATION OF VALUES.**—Notwithstanding any other provision of law, the Secretary may accept a cash equalization payment in excess of 25 percent of the value of the property conveyed under subsection (c).

SEC. 3. DISPOSITION OF FUNDS.

(a) **DEPOSIT OF PROCEEDS.**—The Secretary shall deposit the proceeds derived for the conveyance of the property under this section in the fund established by Public Law 90-171 (commonly known as the "Sisk Act"; 16 U.S.C. 484a).

(b) **USE OF PROCEEDS.**—Amounts deposited under subsection (a) shall be available to the Secretary, without further appropriation and until expended, for—

(1) the acquisition, construction, or improvement of administrative facilities and associated land; and

(2) the acquisition of land and interests in land for addition to the National Forest System in the Northern Region of the Forest Service in the State of Idaho.

(c) **LIMITATIONS.**—Funds deposited under subsection (a) shall not be paid or distributed to States or counties under any provision of law, or otherwise considered moneys received from units of the National Forest System for purposes of—

(1) the Act of May 23, 1908 (16 U.S.C. 500);

(2) section 13 of the Act of March 1, 1911 (16 U.S.C. 500, commonly known as the "Weeks Law"); or

(3) the Act of March 4, 1913 (16 U.S.C. 501).

(d) **MANAGEMENT OF LANDS ACQUIRED BY THE UNITED STATES.**—Subject to valid existing rights, the Secretary shall manage any land acquired under this Act, in accordance with the Act of March 1, 1911 (16 U.S.C. 480 et seq., commonly known as the "Weeks Law") and other laws relating to the National Forest System.

(e) **APPLICABLE LAW.**—Except as otherwise provided in this section, the conveyance of property under this section shall be subject to the laws applicable to conveyances of National Forest System land. Part 1955 of title 7, Code of Federal Regulations, shall not apply to any action carried out under this section.

COMMEMORATION AND INTERPRETATION OF THE COLD WAR

The Senate proceeded to consider the bill (S. 452) to require that the Secretary of the Interior conduct a study to identify sites and resources, to recommend alternatives for commemorating and interpreting the Cold War, and for other purposes, which had been reported from the Committee on Commerce, Science, and Transportation, with an amendment, as follows:

[Insert the part shown in *italic*.]

S. 452

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. COLD WAR STUDY.

(a) **SUBJECT OF STUDY.**—The Secretary of the Interior, in consultation with the Secretary of Defense, the Secretary of Energy, State historic preservation offices, State and local officials, Cold War scholars, and other interested organizations and individuals, shall conduct a National Historic Landmark theme study to identify sites and resources in the United States that are significant to the Cold War. In conducting the study, the Secretary of the Interior shall—

(1) consider the inventory of sites and resources associated with the Cold War completed by the Secretary of Defense pursuant to section 8120(b)(9) of the Department of Defense Appropriations Act, 1991 (Public Law 101-511; 104 Stat. 1906);

(2) consider historical studies and research of Cold War sites and resources such as intercontinental ballistic missiles, nuclear weapons sites (such as the Nevada test site), flight training centers, manufacturing facilities, communications and command centers (such as Cheyenne Mountain, Colorado), defensive radar networks (such as the Distant Early Warning Line), and strategic and tactical aircraft; and

(3) inventory and consider nonmilitary sites and resources associated with the people, events, and social aspects of the Cold War.

(b) **CONTENTS.**—The study shall include—

(1) recommendations for commemorating and interpreting sites and resources identified by the study, including—

(A) sites for which studies for potential inclusion in the National Park System should be authorized;

(B) sites for which new national historic landmarks should be nominated; and

(C) other appropriate designations;

(2) recommendations for cooperative arrangements with State and local governments, local historical organizations, and other entities; and

(3) cost estimates for carrying out each of those recommendations.

(c) GUIDELINES.—The study shall be—

(1) conducted with public involvement; and
(2) submitted to the Committee on Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate no later than 3 years after the date that funds are made available for the study.

SEC. 2. INTERPRETIVE HANDBOOK ON THE COLD WAR.

Not later than 4 years after funds are made available for that purpose, the Secretary of the Interior shall prepare and publish an interpretive handbook on the Cold War and shall disseminate information gathered through the study through appropriate means in addition to the handbook.

SEC. 3. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated \$300,000 to carry out this Act.

The committee amendment was agreed to.

The bill (S. 452), as amended, was read the third time and passed.

CONVEYANCE OF A PARCEL OF LAND IN DOUGLAS COUNTY, OREGON

The Senate proceeded to consider the bill (S. 714) to provide for the conveyance of a small parcel of Bureau of Land Management land in Douglas County, Oregon, to the county to improve management of and recreational access to the Oregon Dunes National Recreation Area, and for other purposes, which had been reported from the Committee on Energy and Natural Resources, with amendments, as follows:

[Strike the part shown in black brackets and insert the part shown in italic.]

S. 714

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. CONVEYANCE OF BUREAU OF LAND MANAGEMENT LAND IN DOUGLAS COUNTY, OREGON.

(a) IN GENERAL.—

(1) CONVEYANCE.—The Secretary of the Interior shall convey, without consideration and subject to valid existing rights, to Douglas County, Oregon (referred to in this section as the “County”), all right, title, and interest of the United States in and to the parcel described in paragraph (2) for use by the County for recreational purposes.

[(2) PARCEL.—The parcel referred to in paragraph (1) is the parcel of real property consisting of approximately 68.8 acres under the administrative jurisdiction of the Bureau of Land Management in the County, as depicted on the map entitled “Umpqua River Lighthouse and Coast Guard Museum Master Plan Study”, dated April 17, 2002.]

(2) PARCEL.—The parcel referred to in paragraph (1) is the parcel of land consisting of approximately 68.8 acres under the administrative jurisdiction of the Bureau of Land Management, as generally depicted on the map entitled “S. 714, Douglas County, Oregon Land Conveyance”, dated May 21, 2003.

(b) PURPOSES OF CONVEYANCE.—The purposes of the conveyance under subsection (a) are to improve management of and recreational access to the Oregon Dunes National Recreation Area by—

(1) improving public safety and reducing traffic congestion along Salmon Harbor Drive (County Road No. 251) in the County;

(2) providing a staging area for off-highway vehicles; and

(3) facilitating policing of unlawful camping and parking along Salmon Harbor Drive and adjacent areas.

[(c) REVERSIONARY INTEREST.—

[(1) IN GENERAL.—If the Secretary determines that the parcel conveyed under subsection (a) is not being used by the County for a recreational purpose—

[(A) all right, title, and interest in and to the parcel, including any improvements on the parcel, shall revert to the United States; and

[(B) the United States shall have the right of immediate entry onto the parcel.

[(2) DETERMINATION ON THE RECORD.—Any determination of the Secretary under this subsection shall be made on the record after an opportunity for an agency hearing.

[(d)(c) SURVEY.—The exact acreage and legal description of the parcel to be conveyed under subsection (a) shall be determined by a survey—

(1) that is satisfactory to the Secretary; and

(2) the cost of which shall be paid by the County.

[(e)(d) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

The committee amendments were agreed to.

The bill (S. 714), as amended, was read the third time and passed, as follows:

S. 714

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. CONVEYANCE OF BUREAU OF LAND MANAGEMENT LAND IN DOUGLAS COUNTY, OREGON.

(a) IN GENERAL.—

(1) CONVEYANCE.—The Secretary of the Interior shall convey, without consideration and subject to valid existing rights, to Douglas County, Oregon (referred to in this section as the “County”), all right, title, and interest of the United States in and to the parcel described in paragraph (2) for use by the County for recreational purposes.

(2) PARCEL.—The parcel referred to in paragraph (1) is the parcel of land consisting of approximately 68.8 acres under the administrative jurisdiction of the Bureau of Land Management, as generally depicted on the map entitled “S. 714, Douglas County, Oregon Land Conveyance”, dated May 21, 2003.

(b) PURPOSES OF CONVEYANCE.—The purposes of the conveyance under subsection (a) are to improve management of and recreational access to the Oregon Dunes National Recreation Area by—

(1) improving public safety and reducing traffic congestion along Salmon Harbor Drive (County Road No. 251) in the County;

(2) providing a staging area for off-highway vehicles; and

(3) facilitating policing of unlawful camping and parking along Salmon Harbor Drive and adjacent areas.

(c) SURVEY.—The exact acreage and legal description of the parcel to be conveyed under subsection (a) shall be determined by a survey—

(1) that is satisfactory to the Secretary; and

(2) the cost of which shall be paid by the County.

(d) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

COMMERCIAL OUTFITTER HUNTING CAMPS ON THE SALMON RIVER

The Senate proceeded to consider the bill (S. 1003) to clarify the intent of Congress with respect to the continued use of established commercial outfitter hunting camps on the Salmon River, which had been reported from the Committee on Energy and Natural Resources, with an amendment, as follows:

[Insert the part shown in italic.]

S. 1003

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1.—Section 3(a)(24) of Public Law 90-542 (16 U.S.C. sec. 1274) is amended to add the following after paragraph (C) and redesignate subsequent paragraphs accordingly:

“(D) The established use and occupancy as of June 6, 2003, of lands and maintenance or replacement of facilities and structures for commercial recreation services at Stub Creek located in section 28, T24N, R14E, Boise Principal Meridian, at Arctic Creek located in section 21, T25N, R12E, Boise Principal Meridian and at Smith Gulch located in section 27, T25N, R12E, Boise Principal Meridian shall continue to be authorized, subject to such reasonable regulation as the Secretary deems appropriate, including rules that would provide for termination for non-compliance, and if terminated, reoffering the site through a competitive process.”.

The committee amendment was agreed to.

The bill (S. 1003), as amended, was read the third time and passed, as follows:

S. 1003

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1.—Section 3(a)(24) of Public Law 90-542 (16 U.S.C. sec. 1274) is amended to add the following after paragraph (C) and redesignate subsequent paragraphs accordingly:

“(D) The established use and occupancy of lands and maintenance or replacement of facilities and structures for commercial recreation services at Stub Creek located in section 28, T24N, R14E, Boise Principal Meridian, at Arctic Creek located in section 21, T25N, R12E, Boise Principal Meridian and at Smith Gulch located in section 27, T25N, R12E, Boise Principal Meridian shall continue to be authorized, subject to such reasonable regulation as the Secretary deems appropriate, including rules that would provide for termination for non-compliance, and if terminated, reoffering the site through a competitive process.”.

EXCHANGE OF CERTAIN LANDS IN THE COCONINO AND TONTO NATIONAL FORESTS IN ARIZONA

The Senate proceeded to consider the bill (H.R. 622) to provide for the exchange of certain lands in the Coconino and Tonto National Forests in Arizona, and for other purposes, which had been reported from the Committee on Energy and Natural Resources, with amendments, as follows:

[Strike the part shown in black brackets and insert the part shown in italic.]